

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THERESA H. LUKE
Plaintiff

CIVIL ACTION
NO.

v.

U.S. DEPARTMENT OF JUSTICE
Defendant

COMPLAINT

FILED
IN CLERKS OFFICE
2012 OCT 11 P 1:48
U.S. DISTRICT COURT
DISTRICT OF MASS

The plaintiff in this action, Theresa H. Luke, is filing this lawsuit under 5 U.S.C. sec. 552(a)(4)(B), pursuant to the attached letter from the U. S. Department of Justice, Office of Information Policy, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, Janice Galli McLeod, Associate Director.

The letter dated September 26, 2012, is in answer to my Freedom of Information Act (FOIA) Request to the United States Marshals Service (USMS) for access to records concerning myself and the Witness Protection Program. The Department of Justice is refusing to confirm or deny the existence of records pertaining to my request.

To the best of my knowledge, I was in the Witness Protection Program, which is called the Witness Security Program in the letter, from approximately 1973 or 1974 until 1984. My records were released, I believe, in Suffolk Superior Court in Boston, Massachusetts, by a Judge Hildebrand, I believe. A relative told me this court hearing was taking place, but I was not allowed to attend and believed I still needed my records locked up. The records related to service in the US Army in Viet Nam.

To this date, the US Army has not produced any records whatsoever about my service or medical records, despite my having asked them many times in writing. I may have had another name at that time. I have needed surgery on my eyes and face and neck for metal fragments, have almost lost my eyesight, and have nerve damage. I also had a head injury and was sick with, I believe, malaria. I have not worked for over two years and simply cannot handle a job anymore. The doctors have not diagnosed anything but a nonspecific illness which they cannot name.

I am not able to retire as I am only 59 years old. I believe I had a pension plan, but I cannot find it. I have supported myself as a legal assistant for many years and had no other income. I would like to find my records so I could at least get a sense of my medical condition and maybe my background. I am not sure where I am a citizen or have lived or the real names of my parents.

I understand fully if the Attorney General wishes to redact information from these records. I know all about what they would say about the Viet Nam War and what happened. I am looking for records pertaining to my personal life and service records, and they simply can delete any official looking names or information.

Respectfully submitted,

A handwritten signature in cursive script, reading "Theresa H. Luke", written over a horizontal line.

Theresa H. Luke, Pro se
292 Allerton Commons Lane
Braintree, MA 02184
781-817-5271

Dated: October 9, 2012

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was served on the following party, first class mail, postage prepaid, on this 10th day of October, 2012: U. S. Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 025300-0001.

A handwritten signature in cursive script, reading "Theresa H. Luke", written over a horizontal line.
Theresa H. Luke, Pro se